

Green, Jonathan
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Tucson Electric Power Sahuarita-Nogales Transmission Line
DEIS

From: jon green [SMTP:no_scopes@yahoo.com]
To: Pell, Jerry
Cc:

Subject: Tucson Electric Power Sahuarita-Nogales
Transmission Line DEIS

Sent: 10/15/2003 12:09 AM
Importance: Normal

Dear Dr. Pell,
Comments on the DEIS are included in the body of this
email. A duplicate version is attached as MS Word file.

=====

819 N. 10th Ave.
Tucson, AZ 85705
October 14, 2003

Dr. Jerry Pell
Office of Fossil Energy
U.S. Department of Energy
Washington D.C. 20585

Dear Dr. Pell,
I am deeply disappointed by the authors of the "Tucson
Electric Power [TEP] Sahuarita-Nogales Transmission
Line DEIS". The purpose of this project is ostensibly
to comply with the intentions of Arizona Corporation
Commission (ACC) order 62011 to ensure a reliable,
long-term supply of electricity to Santa Cruz County.
By assuming that the construction of a 345kV
transmission line from Sahuarita is the only method by
which the ACC's requirements can be met, the DEIS only

Comment No. 1

The Draft EIS was prepared in accordance with Section 102(2)(c) of NEPA, the Council of Environmental Quality (CEQ) regulations (40 *Code of Federal Regulations* [CFR] Parts 1500-1508), and all applicable laws, regulations, and agency policies. The Federal agencies have determined that the Draft EIS does not need to be re-issued for additional review..

Section 1.2 of the Final EIS explains the roles of the Federal agencies in developing alternatives for the proposed project. Where an applicant seeks a permit for a particular business project, such as the case with TEP's proposed project, the Federal agencies generally limit their review of alternatives to those that would satisfy the applicant's proposal and decide whether that proposal is or is not worthy of receiving a permit. The Federal agencies do not review alternatives that are not within the scope of the applicant's proposal. Similarly, the agencies do not direct the applicant to alter its proposal; instead, the agencies decide whether a permit is appropriate for the proposal as the applicant envisions it. It is not for the agency to run the applicant's business and to change the applicant's proposal, but only to evaluate the environmental effects of the applicant's business proposal as offered. Accordingly, the EIS evaluates a reasonable range of alternatives, which include the full spectrum of alternatives that would satisfy the applicant's proposal.

The ACC is vested with the state's authority to decide how it believes energy should be furnished within Arizona's borders (for example, the need for and effectiveness of transmission lines within its borders). Refer to the revised text in Section 1.1.2, The Origin of TEP's Proposal: TEP's Business Plan and the Proceedings of the Arizona Corporation Committee, that provides explanation of the jurisdictions and authorities of the state and Federal agencies, and their relationship to this NEPA analysis.

Comment Nos. 2, 3, and 4

Refer to the response to Comments 1, 2, and 3, respectively, in the previous submittal from Jonathan Green.

Green, Jonathan
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- 1
cont. addresses issues related to potential locations for that hypothetical line. This constitutes an utter failure by the DEIS, its authors and the government to comply with the intent of the National Environmental Policy Act.
- 2 The preferred Western route is the longest, most expensive and most environmentally damaging of all alternatives considered. The Crossover route is nearly as terrible. Both slice through the Tumacacori Proposed Wilderness Area. This spectacular area is home to America's last jaguars as well as 9 other
- 3 Endangered or Threatened species and 74 special status species including Mexican spotted owls, southwestern willow flycatchers, lesser long-nosed bats and Chiricahua leopard frogs. The route comes within ½ mile of the existing Pajarita Wilderness Area and
- 4 Gooding Research Natural Area, and a stretch of Sycamore Canyon eligible for Wild and Scenic River status.
- 5 The Santa Cruz County Board of Supervisors approved and recommended a 115 kV line. Why should ratepayers pay \$85 million for 345 kV, including a 20 percent rate increase in 2003, when they can have a local power station for \$50 million or a 115 kV backup for \$18-21 million with fewer environmental impacts? The DEIS needs a cost-benefit analysis so that the needs of Santa Cruz County can be addressed in a fiscally responsible and equitable way. Why isn't a smaller, less obtrusive power line considered for any route? It would be cheaper, could more easily be buried in sensitive areas near homes and would serve the long-term needs of Santa Cruz County.

Comment No. 5

Refer to the response to Comment 1 above regarding the alternatives evaluated in the EIS.

A new power plant in Nogales is not a viable alternative to a new, second transmission line (part of TEP's proposal). Therefore, the alternative of a new power plant is not evaluated in detail in this EIS. Likewise, a smaller transmission line in lieu of the proposed 345-kV line would not meet the international interconnection aspect of TEP's proposal, and therefore is not evaluated in detail in this EIS. (Refer also to Section 2.1.5, Alternatives Considered But Eliminated From Further Analysis.)

Because the Federal agencies cannot anticipate how the ACC may adjust consumer electricity rates in light of the proposed project, the potential change in consumer electricity rates is too speculative for inclusion in the EIS (see the response to the Border Power Plant Working Group, Comment 2).

This EIS evaluates the proposed project's potential environmental impacts, which under CEQ NEPA-implementing regulations encompass the natural and physical environment, as well as the relationship of people with that environment (40 CFR Part 1508.1). NEPA's definition of environmental impacts does not require a cost-benefit analysis, and thus, such analysis for the entire project is outside the scope of the EIS.

Comment No. 6

If TEP's proposed project is approved by each of the Federal agencies, then there would still be a variety of events that could preclude TEP from implementing this project, such as the possibility of failure by TEP to secure a power sales contract with CFE. Issuance of a Presidential Permit by DOE would only indicate that DOE has no objection to the project, but would not mandate that the project be built.

Green, Jonathan
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5 cont.	<p>There is no “need” stated for the oversized line by either the applicant (TEP) or agencies. TEP’s proposal results from their desire to connect with the Mexican power grid and has nothing to do with ACC order 62011. Only a small percentage of the electricity would be used in Santa Cruz County. There are no known customers in Mexico, nor are any likely since the Mexican Constitution prohibits buying power from foreign and private utilities. The probable explanation is that TEP wants to import electricity from future power plants in Mexico, where they can be built and operated more cheaply and with less government oversight than in the US.</p>
6	
7	<p>If the goal of this project is to ensure a long term energy supply for Santa Cruz County, why does the DEIS fail to suggest alternatives such as improving energy efficiency through conservation or increasing local generating capacity (including consideration of solar and wind generation)? Such measures might eliminate the need for any new transmission lines. In fact, Maestros Group has already proposed building a small, gas-fired power plant in Nogales. Even if it is determined that a new transmission line is needed, why weren’t existing utility corridors considered? They are already impacted, offer easier access for maintenance and would reduce construction costs.</p>
8	
9	<p>I do not support any of the proposed routes, nor the 345kV transmission line because they do not serve Santa Cruz County’s interests, as originally intended under ACC order 62011. They are an unnecessary economic, environmental, and cultural burden on Southern Arizona. Furthermore, I believe the DEIS is grossly inadequate in its analysis of alternatives to the proposed project.</p>
1 cont.	

Comment No. 6 (continued)

The passage of NAFTA established the benefits of strengthening and enhancing the electricity trade with Canada and Mexico.

The Federal agencies do not have any information suggesting that any power plant construction in Mexico is reliant upon or otherwise connected to TEP’s proposed project. Therefore, the potential for construction of power plants in Mexico is not a connected action and is not analyzed in Chapter 4, Environmental Effects, of the EIS.

Chapter 5, Cumulative Effects, of the Final EIS has been augmented to discuss the growth of electricity demand in Mexico and the United States and the potential for new power plants, and to describe qualitatively the potential impacts in the United States (including air quality impacts) from power plant construction in southern Arizona and Sonora, Mexico. Chapter 5 has also been revised to describe the regulation of power plants in Mexico (including coordination between the United States and Mexico), potential fuel sources, and associated emissions.

Comment No. 7

The alternatives suggested by the commentor do not meet TEP’s proposal (see response to Comment 1 above). TEP’s purpose and need for the proposed project, as provided to DOE in TEP’s Presidential Permit Application, is “...to construct a double-circuit 345 kV, alternating current transmission line to interconnect the existing electrical systems of TEP and Citizens Utilities (“Citizens”) in Nogales, Arizona, with a further interconnection to be made from Nogales, Arizona to the CFE transmission system....”

Green, Jonathan
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5 Withdraw the Draft Environmental Impact Statement and
cont. issue a document that properly analyzes real solutions
to power needs in Santa Cruz County, including a
smaller power line, increased local generating
9 capacity (including decentralized and non-fossil
cont. fueled systems), and energy conservation alternatives!
Unless this is done, I will only support the “No
Action” alternative.

Sincerely,
Jonathan Green

Comment No. 7 (continued)

A new power plant in Nogales is not a viable alternative to a new, second transmission line (part of TEP’s proposal). Therefore, the alternative of a new power plant is not evaluated in detail in this EIS (refer also to Section 2.1.5, Alternatives Considered But Eliminated From Further Analysis).

Comment No. 8

A portion of each of the action alternatives follows or crosses an existing natural gas pipeline (see Table 2.3-1, Summary Comparison of Potential Environmental Effects of Alternatives) that is within a utility corridor and has some access roads and other associated ground disturbance. Building a line adjacent to the existing transmission line in the I-19 corridor was considered but eliminated from further analysis in the EIS (see Section 2.1.5 of the Final EIS).

Comment No. 9

ACC Decision No. 62011 (ACC 1999) mandates the construction of a second transmission line to serve customers in Santa Cruz County, and does not reference the export of electricity to Mexico. However, TEP’s stated purpose and need for the proposed project is a dual purpose and need of benefiting both southern Arizona and Mexico.

Grohman, Randall and Jessica Shinn
Page 1 of 4

Tucson Electric Power Sahuarita-Nogales Transmission Line
DEIS

From: Jessie [SMTP:jessieshinn@pop.tcsn.uswest.net]
To: Pell, Jerry
Cc:

Subject: Tucson Electric Power Sahuarita-Nogales
Transmission Line DEIS
Sent: 10/11/2003 1:12 AM
Importance: Normal
Tucson Electric Power Sahuarita-Nogales Transmission Line
DEIS

(Attached is a Word document of the following text)

Dear Dr. Pell:

1 I am writing to urge you to withdraw the current draft
Environmental Impact Statement for Tucson Electric Power's
proposed 345kV powerline.

I have examined the DEIS and would like to make only three
points in addition to the many valid arguments against the
proposal made by southern Arizona organizations such as the
Sky Island Alliance, Friends of Buenos Aires NWR and
Tucson Audubon Society, with which I wholeheartedly agree.
2 First, I am appalled by the "Visual Simulation[s]", which I
believe give a skewed perspective of the true visual impact of
the proposed powerlines.

Comment No. 1

The commentor's opinion that the Draft EIS should be withdrawn is noted.

Comment No. 2

Section 4.2.1, Visual Resources, has been revised in the Final EIS to clarify that the Western Corridor would be highly visible from higher elevations on trails leading to Castle Rock (in addition to trails leading to Atascosa Lookout, as stated in the Draft EIS). The photo simulations in Section 4.2 are included to portray the range of visual impacts of the proposed project, from wide-open to partially blocked views at a range of distances, covering the most likely viewing areas. The photo simulations are augmented by descriptions of the vegetation and land use; Scenic Integrity values; and maps of visibility and various visual attributes, to support analysis of visual impacts, including impacts on scenic integrity. Mapping of project visibility was performed from major roadways because these areas would have the highest concentration of viewers.

Sections 3.1.2 and 4.1.2 describe existing recreational resources and analyze potential impacts to these resources, such as potential impacts to hiking in the Coronado National Forest.

Comment No. 3

Any authorization issued to implement the proposed project on the Coronado National Forest would contain terms and conditions to ensure road barrier effectiveness and maintenance, as appropriate. Sections 3.12 and 4.12 describe the existing transportation system in the area, including the prevalence of wildcat roads, and evaluate potential impacts from the proposed project. Section 4.3.2 states that the long-term reductions in biological activity (e.g., lack of vegetation in an area due to construction traffic) tend to be more pronounced in arid areas such as the proposed project area where biological communities recover very slowly from disturbances.

Grohman, Randall and Jessica Shinn

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2
cont.

The visual impact in the most pristine and lovely areas of the western route are minimized simply by being rendered from such great distances as to make the power poles seem insignificant with respect to the grand proportions of the landscape. However, anyone who has traveled the Ruby Road knows that it travels in very close proximity to Castle Rock, which in the "simulation" is shown only at great distance. To be in the vicinity of this area, or to hike up to this monolith rising from a setting of greenery-softened hills, has an impact that is so visually spectacular as to be headily awesome. I believe that any one of the preferred powerline routes proposed in the DEIS would impose a visual blight on a landscape that is one of the most pristine in southern Arizona and the Southwest US.

Ironically, the simulations that better render the visual impact of the monopoles are done for the routes in that country which is the least spectacular dry, open range with the road and powerline in the near foreground, accentuating the dry and lifeless appearance of the landscape in that area, as if to make it seem that the addition of powerlines hardly matters to visual appeal. Had the same perspective been used for the Castle Rock area, the result would have been to better raise awareness of the true visual impact there and create skepticism in the assessment.

3

Second, while there is an intent to obliterate and revegetate all non-critical access roads created to install the towers and powerlines, authoritative and personal experience tells me that such is a pipe-dream.

In this country, the flow of tens of thousands of illegal immigrants each month has proved unstoppable. The number

Comment No. 3 (continued)

The Federal agencies have revised Sections 4.1.1, Land Use; Section 4.12, Transportation; and Chapter 5, Cumulative Impacts of the Final EIS based on the U.S. Border Patrol's response (USBP 2004) to the Federal agencies' request regarding illegal immigration and law enforcement activities in the proposed project vicinity. The U.S. Border Patrol's response generally re-enforced the information on which the relevant analysis in the Draft EIS was based. The U.S. Border Patrol stated that the roads associated with the construction and maintenance of the proposed project would contribute to an increase in illegal immigrant and narcotic smugglers in the area and affect U.S. Border Patrol operations. The effects of these activities are reflected in the Final EIS in the sections listed above

Comment No. 4

Sections 3.3 and 3.4 present analyses of affected environment and potential impacts to bird populations in the proposed transmission corridors, including analyses of potential impacts to migratory birds (see Sections 3.3.4 and 4.3.4).

The Federal agencies acknowledge that grassland habitat in southern Arizona is important to species such as Baird's sparrow. Furthermore, the agencies acknowledge that impacts to this habitat type may impact individuals of several grassland species protected under the *Migratory Bird Treaty Act* (MBTA), including Baird's sparrow. Baird's sparrow is not listed under the ESA, as threatened or endangered. A draft preliminary analysis of impacts to birds protected under the MBTA was prepared in support of the Draft EIS. This report was subsequently revised to incorporate comments from USFS made in January 2004 and include more species such as Baird's sparrow. The revised report is summarized in Section 4.3.4, Migratory Birds and Raptors, of the Final EIS and is incorporated by reference. The revised report discusses the impact of bird populations that use migratory flight corridors in the area and resident birds protected under the MBTA. This report also discusses impacts to the major vegetation types, including Semidesert Grassland, as they pertain to species protected under the MBTA.

Grohman, Randall and Jessica Shinn
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3
cont.

of wildcat roads and trails on public lands is higher than the number of USFS classified roads. Any breach of the landscape is immediately exploited by illegal traffickers as an alternative route for evading law enforcement authorities. Additional spur roads will soon be connected to other existing de-vegetated paths, and attempts to ameliorate the impact of the newly created trails - authorized and resultant unauthorized - will require a much larger effort than foreseen by the methods of the EIS. It is my experience, based on my knowledge of the problem at the Buenos Aires National Wildlife Refuge (at the western end of the Ruby Road), that the scars on the land are virtually impossible to erase or even attempt to heal while the illegal immigration problem is unresolved.

4

Third, there is insufficient attention to the impact of the powerlines on the populations of birds, both those that use migratory flight corridors in southern Arizona, and those that reside here seasonally. The importance of the grasslands to limited range species such as Baird's Sparrow is not addressed at all, and would likely find the effects on such species to be adverse.

5

In any case, should the DEIS not be withdrawn, the TEP project in any alternative as proposed is unnecessary, and any incompatibility with recreational attributes or the mission of environmental management should be sufficient cause to take a No Action stance. Any adverse affects to populations of threatened and endangered species provide ample reason to reject a project that is unnecessarily disproportionate to the requirements that initiated it.

Comment No. 4 (continued)

The revised analysis of impacts to birds protected under the MBTA will be submitted to the USFWS, which has the primary responsibility for administrating the MBTA and its amendments, and subsequent acts. The USFWS will determine if the conservation measures proposed in the analysis are sufficient to mitigate impacts to birds protected under the MBTA. The USFWS may recommend additional conservation measures if it is determined the impacts would adversely affect populations so that formal listing under the ESA would be required.

Comment No. 5

Section 1.6.6 of the Final EIS states that each Federal agency will make and explain its decision in its respective ROD. Each Federal agency is responding to TEP's proposed project as described in Section 1.2.2, Federal Agencies' Purpose and Need Statements.

Sections 3.1.2 and 4.1.2 discuss existing recreational settings and activities, and analyze potential impacts to recreation from the proposed project. Section 4.1.2 specifically evaluates impacts to indicators such as remoteness and naturalness, both of which would have changes that are not compatible with the existing ROS classes for much of the length of the Western and Crossover Corridors within the Coronado National Forest. Section 4.1.2.4 (ROS Impacts Summary for Western, Central, and Crossover Corridors) in the Final EIS includes revised text from USFS, concluding that the proposed transmission line is out of character with recreation settings in the area, but that when considering the overall impact of the proposed transmission line on each area it crosses, it alone would not change ROS settings (that is, the proposed project would not result in the re-classification of areas by USFS in terms of the recreational experience each area provides).

Grohman, Randall and Jessica Shinn
Page 4 of 4

Thank you for your time and consideration.

Sincerely,

Randall Grohman
Vice President, Friends of Buenos Aires National Wildlife
Refuge

Jessica Shinn
Assistant to the Director, Tucson Audubon Society
TEP EIS letter 10-2003.doc

Comment No. 5 (continued)

Sections 3.3 and 4.3 present a description of the existing biological resources and analyze the potential impacts to these resources, including impacts to threatened and endangered species. The Federal agencies are currently conducting consultation with USFWS under ESA Section 7(a)(2), as described in Section 4.3.3, Special Interest Species. The Federal agencies are not allowed to authorize any actions that would jeopardize the continued existence of any threatened or endangered species listed under the ESA as amended.

Grover, Ravi
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From: desi666@Hindunet.com
[SMTP:desi666@Hindunet.com]
To: Pell, Jerry
Cc:
Subject: Tucson Electric Power's proposed 345 kilovolt powerline
Sent: 10/9/2003 11:51 PM **Importance:** Normal

Dr. Jerry Pell
U.S. Department of Energy, Office of Fossil Energy (FE-27)
1000 Independence Avenue. SW
Washington, DC 20585

Dear Dr. Pell,

Please withdraw the current draft Environmental Impact Statement for Tucson Electric Power's proposed 345 kilovolt powerline.

- 1 The draft EIS is inadequate, because it does not address important alternatives to TEP's powerline which would provide reliable service without destroying our environmental and cultural heritage, and which would not require huge increases to consumers' electricity bills.

Sincerely,

Ravi Grover
POB 802103
Chicago, Illinois 60680

Comment No. 1

Section 1.2 of the Final EIS explains the roles of the Federal agencies in developing alternatives for the proposed project. Where an applicant seeks a permit for a particular business project, such as the case with TEP's proposed project, the Federal agencies generally limit their review of alternatives to those that would satisfy the applicant's proposal and decide whether that proposal is or is not worthy of receiving a permit. The Federal agencies do not review alternatives that are not within the scope of the applicant's proposal. Similarly, the agencies do not direct the applicant to alter its proposal; instead, the agencies decide whether a permit is appropriate for the proposal as the applicant envisions it. It is not for the agency to run the applicant's business and to change the applicant's proposal, but only to evaluate the environmental effects of the applicant's business proposal as offered. Accordingly, the EIS evaluates a reasonable range of alternatives, which include the full spectrum of alternatives that would satisfy the applicant's proposal.

Chapters 3 and 4 discuss the affected environment and analyze the potential environmental impacts from the proposed project, including potential impacts to cultural resources (see Sections 3.4 and 4.4).

Because consumer electricity rates are overseen by the ACC, it would be speculative in nature for DOE or the cooperating agencies to analyze potential impacts to consumers' electricity rates as a result of the proposed project.

H., Zay
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Pell, Jerry

From: Zay H. [zayy@zaycom.com]
Sent: Monday, September 08, 2003 5:34 PM
To: Pell, Jerry
Subject: Power Lines

Sir,

1 | I strongly oppose any new power line construction that goes through scenic areas, especially those
that are without any view of modern mans impact. There are fewer and fewer such places each
year, and I shudder to think that my child may not have any such place in Southern Arizona by the
time she reaches her teens.

2 | I do not back the power lines being constructed at all, but realize that there are other opinions on
this subject, and that they may eventually be built. I would back them if they followed the I-19
corridor closely, as that area is already heavily impacted by the visual blight caused by
development.

1 | As it stands, I whole heartedly support the " no action " alternative to this project.

cont. Thank you,

Zay H.

9/9/2003

Comment No. 1

Sections 3.2 and 4.2 present a description of the existing visual resources and analyze the potential impacts to these resources from the proposed project.

Comment No. 2

The commentor's suggestion of building a line adjacent to the existing transmission line in the I-19 corridor was considered but eliminated from further analysis in the EIS (see Section 2.1.5 of the Final EIS).

Harayda, Ken
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Comment No. 1

The Federal agencies note the commentator's support for the proposed project because of increasing power needs as more people move into the area.

----- Forwarded by Susan K Kozacek/R3/USDAFS on
10/15/2003 12:56 PM -----
weharayda@cox.net
10/09/2003 07:24 PM

To: skozacek@fs.fed.us
cc:
Subject: Environmental Impact Statement for Tucson
Electric Power's proposed 345 kilovolt powerline

Ms. Sue Kozacek
Coronado National Forest
Federal Building, 300 West Congress
Tucson, AZ 85701

Dear Ms. Kozacek,

I am writing to urge you to help proceed with the
constuction of the badly needed Transmission Line. We are
going to need more power sources as more people move to
our area. If we, as enviromentalist, would open our minds to
1 progress, and note that company's like TEP are acting
responcibly, and reducing the impact to our lands. Again,
please take a look at the work that TEP has done, and not go
by the words of a few "extreme enviromentalist" Thank you
Ken Harayda

Sincerely,

Ken Harayda
1609 S. Turquoise Vista
Tucson, Arizona 85710

Hare, Trevor and Family
Page 1 of 2

10/14/2003 11:27 7917709 SKY_ISLAND_ALLIANCE PAGE 01

Trevor, Janet, Cassidy, and Delaney Hare
 2718 E Croyden St
 Tucson, Arizona 85716

Dr. Jerry Pell
 Office of Fossil Energy
 U.S. Department of Energy
 Washington D.C. 20585

Dear Dr. Pell,

1 | This letter is in regards to the Tucson Electric Power Sahuarita-Nogales Transmission line DEIS
 and our family's opposition to the proposed powerline through an area we have been visiting,
 camping and hiking in since the late 1980's.

2 | The Tumacacori and Atascosa Mountains are an exceptional area for primitive recreation, we
 have spent thousands of hours exploring and enjoying the landscape there and the powerline is
 incompatible with the natural characteristics of the area. The proposed powerline would impact
 many sensitive wildlife and plant species that are an important aspect of our southern Arizona
 natural heritage and one of the reasons we visit the area. The route would cross habitat for 10
 3 | federally listed Endangered or Threatened species and 74 special status species including jaguar,
 Mexican spotted owls, Southwestern willow flycatchers, lesser long-nosed bats, and Chiricahua
 Leopard frog. The last time we visited in the area we found a brown vine snake! My children
 were amazed!

4 | I urge you to deny the Western and Crossover Routes and choose the no-action alternative
 because they are not compatible with the current uses of the affected area, they would
 permanently scar an amazing area, and they would impact the Chiricahua leopard frog which is
 extremely vulnerable to stress-induced chytrid fungus infections.

Other points we would like you to consider include:

- 5 | • The preferred Western Route is the longest, most expensive, and most environmentally
 damaging of all alternatives considered. The Crossover route is equally damaging.
- 6 | • The Western and Crossover routes slice through a citizen's proposed Wilderness Area and
 would forever scar the outstanding natural characteristics of the area.
- 7 | • TEP proposes to build over 20 new miles of road for the Preferred Route. The road density in
 the Tumacacori EMA is already above acceptable limits as set forth in the current Forest
 Plan. More road building, even with associated closures (often unsuccessful) would be in
 gross violation of the Forest Plan
- 8 | • 200 acres on the Coronado National Forest would be disturbed permanently or temporarily.
- 9 | • The route comes within ½ mile of the existing Pajarita Wilderness Area and Gooding
 Research Natural Area, and a stretch of Sycamore Canyon eligible for Wild and Scenic River

Comment No. 1

The Federal agencies note the commentor's opposition to the proposed project.

Comment No. 2

Sections 3.1.2 and 4.1.2 discuss existing recreational settings and activities, and analyze potential impacts to recreation from the proposed project. Section 4.1.2 specifically evaluates impacts to indicators such as remoteness and naturalness, both of which would have changes that are inconsistent with the existing ROS classes for much of the length of the Western and Crossover Corridors within the Coronado National Forest.

Comment No. 3

Sections 3.3 and 4.3 present a description of the existing biological resources and analyze the potential impacts to these resources, including potential impacts to endangered, threatened and special status species.

Comment No. 4

Sections 3.1 and 4.1 present a description of the existing land use and analyze the potential impacts to land use from the proposed project.

The potential impacts to Chiricahua leopard frog are addressed in Section 4.3.3, Special Interest Species. Section 4.3.2 states that the long-term reductions in biological activity (e.g., lack of vegetation in an area due to construction traffic) tend to be more pronounced in arid areas such as the proposed project area where biological communities recover very slowly from disturbances.

Hare, Trevor and Family
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- 9
cont!
- status. Powerline corridors are notorious for channeling spread of invasive weeds, disrupting wildlife movement, and providing access to illegal off-road drivers and smugglers.
 - There is no "Need" stated for a 345 kV line by either the applicant (TEP) or agencies -- because most of the energy transmitted on the line would not benefit Santa Cruz County, why is the 345 kV, and not a smaller line, needed?
 - 10 • A smaller, less obtrusive powerline, such as a 115 kV line was not considered for any route. Why not? A 115 kV line is cheaper, can more easily be buried in sensitive areas near homes, and would serve the long-term needs of Santa Cruz County.
 - 11 • I do not support the proposed routes because they do not serve Santa Cruz County's interests, as originally intended under ACC order 62011. They are an unnecessary economic, environmental, and culture burden on Southern Arizona. Please consider withdrawing the Draft Environmental Impact Statement and issuing an assessment that properly analyzes real solutions to power needs in Santa Cruz County that include a smaller powerline and/or locally run power plant.

Thank you for your consideration,

Trevor Hare
 Conservation Biologist

Janet Hare
 Director of Sales and Marketing

Cassidy Hare
 15 year old student

Delaney Hare
 11 year old student

Comment No. 5

The affected environment of the Western and Crossover Corridors is described in Chapter 3, and the potential environmental impacts (including socioeconomic impacts) from these alternatives are fully evaluated in Chapter 4.

Comment No. 6

Section 5.2.4 acknowledges the citizen-initiated proposal for an addition to the National Wilderness Preservation System.

Refer to the response to Comment 4 above regarding scarring of the area.

Comment No. 7

The Tumacacori EMA of the Coronado National Forest in and of itself does not exceed road density limits set forth in the Forest Plan. Road density limits set forth in the Forest Plan are for the Coronado National Forest as a whole, not for individual land units or EMAs within the Coronado National Forest. TEP would close 1.0 mi (1.6 km) of existing road for every 1.0 mi (1.6 km) of proposed road to be used in the operation or long-term maintenance of the proposed project, such that road density on the Coronado National Forest would not be affected. Any authorization issued to implement the proposed project on the Coronado National Forest would contain terms and conditions to ensure road barrier effectiveness and maintenance, as appropriate. Based on these terms and conditions, the proposed project would not violate the Forest Plan.

Comment No. 8

The area of disturbance on the Coronado National Forest varies for each corridor (see Table 4.12-1, Temporary and Permanent Area Disturbed on the Coronado National Forest by the Proposed Project).

Comment No. 9

Section 3.1, Land Use, discusses the affected environment of the Pajarita Wilderness, which encompasses the Goodding Research Natural Area and the segment of Sycamore Canyon that is potentially eligible for designation as a Wild and Scenic River. The structure locations, construction areas, and proposed access roads for all three corridors would not enter into the Pajarita Wilderness. Potential impacts to these resources are addressed in the resource sections of Chapter 4, Environmental Effects.

Sections 3.3 and 4.3 present a description of the existing biological resources and evaluation of potential impacts to biological resources, including invasive species impacts (Section 4.3.6) and impacts to wildlife (Section 4.3.2).

Sections 4.1, Land Use, and 4.12, Transportation, evaluate potential impacts related to roads. Section 3.1.2 of the EIS states that there is off-highway vehicle use in the project area, and Section 4.1.2 analyzes the impacts of off-highway vehicle use as one of many recreational uses of the project area, including the Coronado National Forest.

The Federal agencies have revised Sections 4.1.1, Land Use; Section 4.12, Transportation; and Chapter 5, Cumulative Impacts of the Final EIS based on the U.S. Border Patrol's response (USBP 2004) to the Federal agencies' request regarding illegal immigration and law enforcement activities in the proposed project vicinity. The U.S. Border Patrol's response generally reinforced the information on which the relevant analysis in the Draft EIS was based. The U.S. Border Patrol stated that the roads associated with the construction and maintenance of the proposed project would contribute to an increase in illegal immigrant and narcotic smugglers in the area and affect U.S. Border Patrol operations. The effects of these activities are reflected in the Final EIS in the sections listed above.

Comment No. 10

TEP's purpose and need for the proposed project, as provided to DOE in TEP's Presidential Permit Application, is "...to construct a double-circuit 345 kV, alternating current transmission line to interconnect the existing electrical systems of TEP and Citizens Utilities ("Citizens") in Nogales, Arizona, with a further interconnection to be made from Nogales, Arizona to the CFE transmission system...." In an applicant-initiated process, such as TEP's proposed project, the range of reasonable alternatives analyzed in detail in the EIS is directly related to the applicant's purpose and need.

A smaller transmission line in lieu of the proposed 345-kV line would not meet the international interconnection aspect of TEP's proposal and, therefore, is not evaluated in detail in this EIS (refer also to Section 2.1.5, Alternatives Considered But Eliminated From Further Analysis).

Comment No. 11

ACC Decision No. 62011 (ACC 1999) mandates the construction of a second transmission line to serve customers in Santa Cruz County, and does not reference the export of electricity to Mexico. However, TEP's stated purpose and need for the proposed project is a dual purpose and need of benefiting both southern Arizona and Mexico.

Section 1.2 of the Final EIS explains the roles of the Federal agencies in developing alternatives for the proposed project. Where an applicant seeks a permit for a particular business project, such as the case with TEP's proposed project, the Federal agencies generally limit their review of alternatives to those that would satisfy the applicant's proposal and decide whether that proposal is or is not worthy of receiving a permit. The Federal agencies do not review alternatives that are not within the scope of the applicant's proposal. Similarly, the agencies do not direct the applicant to alter its proposal; instead, the agencies decide whether a permit is appropriate for the proposal as the applicant envisions it. It is not for the agency to run the applicant's business and to change the applicant's proposal, but only to evaluate the environmental effects of the applicant's business proposal as offered. Accordingly, the EIS evaluates a reasonable

Comment No. 11 (*continued*)

range of alternatives, which include the full spectrum of alternatives that would satisfy the applicant's proposal.

A new power plant in Nogales is not a viable alternative to a new, second transmission line (part of TEP's proposal). Therefore, the alternative of a new power plant is not evaluated in detail in this EIS. Likewise, a smaller transmission line in lieu of the proposed 345-kV line would not meet the international interconnection aspect of TEP's proposal, and therefore is not evaluated in detail in this EIS. (Refer also to Section 2.1.5, Alternatives Considered But Eliminated From Further Analysis.)

Hare, Trevor and Family
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----- Forwarded by Susan K Kozacek/R3/USDAFS on
10/16/2003 06:04 PM -----
"Trevor Hare" <trevor@skyislandalliance.org>
10/14/2003 11:30 AM
Please respond to trevor

To: <skozacek@fs.fed.us>
cc:
Subject: TEP DEIS and needed Forest Plan Amendments

Trevor, Janet, Cassidy, and Delaney Hare
2718 E Croyden St
Tucson, Arizona 85716

Sue Kozacek
Acting Forest Supervisor
Coronado National Forest
300 W. Congress
Tucson, AZ 85701

Dear Ms. Kozacek

1 | This letter is in regards to the Tucson Electric Power
Sahuarita-Nogales Transmission line DEIS and needed Forest
Plan Amendments and our family's opposition to the proposed
powerline through an area we have been visiting, camping,
and hiking in since the early 1980's.

2 | I don't think I have to tell you, but the Tumacacori and
Atascosa Mountains are an exceptional area for primitive
recreation, we have spent thousands of hours exploring and
enjoying the landscape there and the powerline is
incompatible with the natural

Comment No. 1

The Federal agencies note the commentator's opposition to the proposed project.

Comment Nos. 2, 3, and 4

Refer to the response to Comments. 2, 3, and 4, respectively, in the previous submittal from Trevor Hare and Family.

Hare, Trevor and Family

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2 | characteristics of the area. The propose powerline would
cont. | impact many sensitive wildlife and plant species that are an
important aspect of our southern Arizona natural heritage
and one of the reason we visit the area. The route would
cross habitat for 10 federally listed Endangered or
3 | Threatened species and 74 special status species including
jaguar, Mexican spotted owls, Southwestern willow
flycatchers, lesser long-nosed bats, and Chiricahua Leopard
frog. The last time we visited in the area we found a brown
vine snake! My children were amazed!

4 | I urge you to deny the special use permit for the Western
and Crossover Routes because they are not compatible with
the current uses of the affected area, they would
permanently scar an amazing area, and they would impact
the Chiricahua leopard frog which is extremely vulnerable
to stress-induced Chytrid fungus infections.

Thank you for your consideration,

Trevor Hare
Conservation Biologist

Janet Hare
Director of Sales and Marketing

Cassidy Hare
15 year old student

Delaney Hare
11 year old student